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 TRAVELERS PROPERTY CAS. CO., ET AL.
 6

7 **UNITED STATES DISTRICT COURT**
 8 **NORTHERN DISTRICT OF CALIFORNIA**
 9

10 TRAVELERS PROPERTY CASUALTY) CASE NO.: 3:07-cv-03459-BZ
 COMPANY, ET AL.)

11 Plaintiffs,) STIPULATION AND [PROPOSED]
 12) ORDER RE EXTENDING TIME TO
 vs.) MOVE THE COURT TO RESTORE THIS
 13) MATTER TO THE CALENDAR

14 FEDERATED MUTUAL INSURANCE)
 COMPANY, a Minnesota corporation,)

16 Defendant.)

17 **WHEREAS** the Court entered Conditional Order of Dismissal on April 24, 2008 dismissing
 18 the action with prejudice on the grounds that the parties have agreed to a settlement, provided that any
 19 party may, within 60 days of the date of the order, move the Court to restore this matter to the
 20 calendar on the grounds that the settlement has not been consummated;

21 **WHEREAS** pursuant to the parties' stipulation, the Court entered order on June 26, 2008 that
 22 the parties may, before August 22, 2008, move the Court to restore this matter to the calendar; and

23 **WHEREAS** the settlement agreement between the parties has been finalized and settlement
 24 payments are pending receipt of final defense invoices and issuance of indemnity payment in the
 25 underlying action;

26 / / /

27 / / /

28 / / /

1 **IT IS HEREBY STIPULATED BY AND BETWEEN THE PARTIES HERETO**, through
2 their respective counsel, that the parties may, before October 22, 2008, move the Court to restore this
3 matter to the calendar on the grounds that the settlement has not been consummated.

4 DATED: August 8, 2008

5 MORALES FIERRO & REEVES

6 By: /s/ Ramiro Morales
7 Ramiro Morales
8 Attorneys for Plaintiffs
9 TRAVELERS PROPERTY CAS. CO., ET AL.

10 DATED: August 8, 2008

11 MEAGHER & GEER P.L.L.P.

12 By: /s/ Laura J. Hanson
13 Laura J. Hanson
14 Jenny L. Sautter
15 Attorneys for Defendant
16 FEDERATED MUTUAL INSURANCE COMPANY

17 **ATTESTATION RE CONFORMED SIGNATURE**

18 Pursuant to General Order No. 45, I hereby attest that concurrence in the filing of the
19 document has been obtained from Ms. Laura J. Hanson on August 8, 2008 at 5:36 p.m., which shall
20 serve in lieu of her signature on this document.

21 DATED: August 8, 2008

22 MORALES FIERRO & REEVES

23 By: /s/ Ramiro Morales
24 Ramiro Morales
25 Attorneys for Plaintiffs
26 TRAVELERS PROPERTY CAS. CO., ET AL.

27 **ORDER RE EXTENDING TIME TO MOVE THE COURT TO RESTORE THIS MATTER
28 TO CALENDAR**

29 PURSUANT TO STIPULATION, IT IS SO ORDERED.

30 Date: August ____, 2008

31 _____
32 Bernard Zimmerman
33 United States Magistrate Judge

34 S:\Docs\tr2610\STP080807.th.doc

Travelers Property Casualty Company, et al. v. Federated Mutual Insurance Company
U.S. District Court, Northern District of California
Case No. C-07-3459 BZ

PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF CONTRA COSTA

I am employed by the Law Offices of Morales, Fierro & Reeves located at 2300 Contra Costa Blvd., Suite 310, Pleasant Hill, CA 94523. I am over the age of eighteen years and not a party to the within action.

On August 8, 2008, I served the document(s) described as:

**STIPULATION AND [PROPOSED] ORDER RE EXTENDING TIME TO MOVE
THE COURT TO RESTORE THIS MATTER TO THE CALENDAR**

on the interested party(ies) in this action as follows:

Federated Mutual Insurance Company
c/o Laura J. Hanson, Esq.
Jenny L. Sautter, Esq.
Meagher & Geer P.L.L.P
33 South Sixth Street, 44th Floor
Minneapolis, Minnesota 55402

Service was effectuated in the following manner:

- BY U.S. MAIL:** By placing the document(s) listed above in a sealed envelope(s) addressed to the parties listed below or on the attached service list. I am readily familiar with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with U.S. Postal Service on the same day with postage thereon fully prepaid at Pleasant Hill, California in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

Executed on August 8, 2008, at Pleasant Hill, California.

Marianne Fogle
Marianne Fogle